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Office Memorandum • UNITED STATES GOVERNMENT

OGC Has Reviewed

TO : Mr. Lawrence R. Houston

DATE: 10 May 1949

FROM : 25X1A

SUBJECT: Lease XG-48

1. Section 7 of subject lease provides that the Government as leasee will make repairs necessary to keep and maintain the premises in good order provided such repairs are normal and do not include ordinary wear and tear from reasonable use. A clause of this type is found in 10 Comp. Gen. 149 and was not questioned per se by the Comptroller General. There does not appear to be any later reference to this opinion, nor has it been overruled. Unpublished opinion, A-31388, dated 6 May 1930, which of course is prior to the Act, indicates that such a clause is perfectly proper and is authority for making improvements to private property held under lease when the cost is specifically made a consideration of the rental in whole or in part.

2. The question of whether any "maintenance, repair, or improvement" falls within the limitation of the Economy Act is still reserved. In the meantime, I shall discuss the unpublished opinion with Mr. [redacted] et al.

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[redacted]
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